

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Jamie C. Andrews,

Court File No. _____

Plaintiff,

NOTICE OF REMOVAL

v.

Fairview Health Services,

Defendant.

TO: PLAINTIFF JAMIE C. ANDREWS, BY AND THROUGH HER COUNSEL OF RECORD, BENJAMIN REID KWAN AND C. TED HALLER, HALLER KWAN LLP, 323 WASHINGTON AVE. N., SUITE 200, T3 BUILDING, MINNEAPOLIS, MINNESOTA 55401.

Defendant Fairview Health Services (“Fairview”), by and through its attorneys, hereby notices the removal of this action from the District Court of the Second Judicial District for the County of Ramsey, State of Minnesota, to the United States District Court for the District of Minnesota, pursuant to 28 U.S.C. §§ 1331, 1367, and 1441, and states as follows:

STATE COURT PROCEEDINGS

1. On June 1, 2021, Fairview was served with a Summons and Complaint in the above-captioned matter. Although the case was not filed by Plaintiff Jamie C. Andrews (“Plaintiff”), the case caption of the Complaint indicates that it is being brought in the Second Judicial District of the State of Minnesota, County of Ramsey. A true and correct copy of the Summons and Complaint, which constitutes all process, pleadings, and orders served upon Fairview, is attached hereto as **Exhibit A**.

2. No other proceedings have been held in the Minnesota state court.

3. This Notice of Removal is filed within 30 days of the date on which Fairview received the Summons and Complaint and, therefore, is timely filed pursuant to 28 U.S.C. § 1446(b).

4. Pursuant to 28 U.S.C. § 1446(d), Fairview will properly give written notice of this filing to Plaintiff and will file a true and correct copy of the Notice to State Court of Filing of Notice of Removal (“Notice of Filing”) with the Clerk of the District Court of the Second Judicial District for the County of Ramsey, State of Minnesota. A copy of such Notice of Filing is attached hereto as **Exhibit B**.

GROUND FOR REMOVAL

5. This action is removed to this Court under 28 U.S.C. §§ 1331 and 1441, as this Court has federal question jurisdiction over the claims asserted in Counts I, II, and III in that Plaintiff purports to state claims under the Family and Medical Leave Act, 29 U.S.C. § 2601, *et seq.*

6. Plaintiff asserts additional claims arising under the Minnesota Human Rights Act, Minn. Stat. § 363A.01, *et seq.* (Counts IV and V of the Complaint). Plaintiff’s claims arising under Minnesota state law are so related to Plaintiff’s claims arising under federal law that they form part of the same case or controversy under Article III of the United States Constitution. Accordingly, the Court has supplemental jurisdiction over Plaintiff’s claims pursuant to 28 U.S.C. § 1367.

7. Fairview has not filed a motion or responsive pleading to the Complaint prior to this Notice of Removal. By filing this Notice of Removal, Fairview does not waive any grounds for dismissal, defense, or counterclaim to the Complaint.

WHEREFORE, Fairview removes the above-captioned action from the Second Judicial District for the County of Ramsey, State of Minnesota, to the United States District Court for the District of Minnesota.

Dated: June 21, 2021

FELHABER LARSON

By: /s/ Lauren M. Weber
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